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EXAMINER

CRENSHAW, MARVIN P

ART UNIT

PAPER NUMBER

2854

DATE MAILED: 07/21/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/973,366

Applicant(s)

SAMEIT ET AL.

Examiner

Marvin P. Crenshaw

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 May 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-48 is/are pending in the application.
- 4a) Of the above claim(s) 35-46 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-19, 21, 23, 25-34, 47 and 48 is/are rejected.
- 7) ☒ Claim(s) 20, 22 and 24 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 09 October 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 6. 6) ☐ Other: _____

DETAILED ACTION

Election/Restrictions

Applicant's election without traverse of Claims 1-34, 46 and 47 in Paper No. 8 is acknowledged.

Allowable Subject Matter

Claims 20, 22 and 24 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is an examiner's statement of reasons for allowance:

With respect to claim 20, the prior art does not teach or render obvious the total combination as claimed including a system further comprising means for determining data about the damage status of the rubber-covered cylinder sleeves.

With respect to claim 24, the prior art does not teach or render obvious the total combination as claimed including a system further comprising means for calculating statistics about the probability of failure of the sleeves by means by said characteristic data stored in said main memory device.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1 – 19, 21,23,33 and 34 are rejected under 35 U.S.C. 102(b) as being anticipated by Nakamura et al.

Nakamura et al teaches a system (See Abstract) for managing rubber-covered cylinder sleeves for an offset rotary printing machine, said system comprising a storage (See col. 5, lines 5 – 15) apparatus for storing said sleeves when not in use in said printing machine, a main electronic memory (10) device into which characteristics data for each sleeve can be entered, stored and managed, means (See col. 5, lines 49 - 56) for introducing the sleeves into the storage apparatus, means for reading (14) the characteristics data into the memory device as one of the sleeves is introduced into the storage apparatus and means (Col. 5, lines 49 – 56) for removing one of said sleeves from the storage apparatus in accordance with predefined data and said characteristic data.

With respect to claim 2, a system (Fig. 1) wherein said characteristic data comprise at least one of data which identify the individual sleeve and operating data and data about damage status.

With respect to claim 3, a system wherein said storage (Fig. 3B) has individual sleeve storage spaces which are arranged at least one of beside one another and above one

another and behind one another and such that they can circulate and such that they can be moved.

With respect to claim 4, a system wherein said individual sleeve storage (Fig. 3B) spaces can be moved to a storage and removal position.

With respect to claim 5, a system further comprising an identifier (32) arranged on each sleeve, said characteristic data for each sleeve being assignable to the respective identifier and readable into the main memory device at the time of storage.

With respect to claim 6, a system further comprising an auxiliary electronic memory (20) device assigned to each said sleeve, said auxiliary electronic memory device carrying an identity number by means of which the characteristic data can be assigned to the respective sleeve and read into the main memory device at the time of storage.

With respect to claim 7, a system (Fig. 6) wherein said identity number can be read from the auxiliary memory device into the main memory device at the time of storage.

With respect to claim 8, a system (Fig. 6) further comprising an auxiliary electronic memory device assigned to each said sleeve, said characteristic data being stored on the auxiliary memory device and read into the main memory device at the time of storage.

With respect to claim 9, a system further comprising one of a data reader (30) and a scanner(24E) by means of which the identifier can be read into the main memory device, at least one of the characteristic data that can be assigned to the identifier and changed characteristic data and data about damage status being exchangeable between the main memory device and computing and memory devices of printing

machines, and being stored on the respective memory devices.

With respect to claim 10, a system further comprising a data reader (30) by means of which the identity number can be read from the auxiliary memory device into the main memory device, at least one of the characteristic data that can be assigned to the identifier and changed characteristic data and data about damage status being exchangeable between the main memory device and computing and memory devices of printing machines, and being stored on the respective memory devices.

With respect to claim 11, a system comprising (Fig. 1) one of said data readers associated with said storage apparatus and with each of a plurality of printing units.

With respect to claim 12, a system wherein said data reader (30) are configured as data exchange devices, whereby said characteristic data can be exchanged between the main memory device and the computing and memory devices of printing machines and stored.

With respect to claim 13, a system (Fig. 1) wherein said auxiliary memory device provides means for data transmission and exchange between the main memory device and computing and memory devices of the printing machines.

With respect to claim 14, a system wherein said auxiliary memory device (20) comprises a transponder.

With respect to claim 15, a system (Fig. 1) wherein data is read from said auxiliary memory device without contact.

With respect to claim 16, a system (Fig. 1, 10) further comprising computing and memory devices of a printing machine, said main memory device being integrated into

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at least one of said computing and memory devices.

With respect to claim 17, a system (Fig. 1, 10) further comprising computing and memory devices for printing machines, said main memory device and said computing and memory devices being integrated into at least one memory unit.

With respect to claim 18, a system further comprising a transport apparatus (Fig. 2A) for transporting the sleeves from the storage apparatus to the printing machine.

With respect to claim 19, a system further comprising means (32) for identifying the sleeves arranged on the storage apparatus.

With respect to claim 21, a system further comprising a hand-held input device (16) into which data about the damage status of the sleeves can be entered.

With respect to claim 23, a system further comprising means (Fig. 6) for automatically initiating and carrying out ordering of new sleeves by means by said characteristic data stored in said main memory device.

With respect to claim 33, Nakamura et al. teaches a system (Fig. 1) wherein said main electronic memory device comprises an interface which is accessible from an external location.

With respect to claim 34, Nakamura et al. teaches a system (Fig. 6) wherein the characteristic data stored in the main memory device can be called up from the external location via the interface, and new characteristic data can be transmitted into the memory device via the interface and stored.

Claims 47 and 48 are rejected under 35 U.S.C. 102(b) as being anticipated by Fraczek.

Fraczek et al. teaches a method of managing rubber-covered cylinder sleeves (Fig. 1) for offset printing, said method comprising equipping each said sleeve with an identifier (3), assigning characteristic data about each sleeve to the respective identifier, reading (4) said characteristic data from said identifiers into a computing and memory device of a rotary printing machine, transmitting (Fig.1) said characteristic data from said computing and memory (5) devices to a main memory device of a storage apparatus for said sleeves, and storing said characteristic data in said main memory device.

Fraczek teaches a method of managing rubber-covered cylinder sleeves for offset printing, said method comprising equipping each said sleeve with an auxiliary memory device (3), applying characteristic data about each said sleeve to the respective memory device while said sleeve is still located in a printing unit, and transmitting (Fig. 1) said characteristic data from said auxiliary memory device to a main memory device of a storage apparatus for said sleeves when said sleeve is stored in said storage apparatus.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the

invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 25, 26, 29 and 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nakamura et al. in view of Fraczek.

Nakamura et al. teaches all that is claimed in the above rejection of claims 1 – 19, 21, 23, 33 and 34 except an auxiliary electronic memory device on the sleeve.

Fraczek teaches a system further comprising an auxiliary electronic memory device (3) arranged on each said sleeve, said characteristic data being stored on the auxiliary memory device and read into the main memory device at the time of storage.

It would have been obvious to modify Nakamura et al. to have a system having an auxiliary electronic memory device on the sleeve as taught by Fraczek to communicate the status of usage of the sleeve and location of the sleeve while being stored from the main system.

With respect to claim 26, Nakamura et al. teaches a system (Fig. 1) further comprising a main data exchange device (12) by means of which the characteristic data can be read from the auxiliary memory device into the main memory device, and at least one of new, characteristic data and changed characteristic data and data from the main memory device can be written and stored on the auxiliary memory device.

With respect to claim 29, Nakamura et al. teaches a system (Fig. 6) wherein each said auxiliary memory device comprises a transponder.

With respect to claim 30, Nakamura et al. teaches a system (Fig. 1) wherein data is exchanged between said auxiliary memory device and said main data exchange device without contact.

Claims 27, 28, 31 and 32 rejected under 35 U.S.C. 103(a) as being unpatentable over Nakamura et al. in view of Fraczek and Schmid et al.

Nakamura et al. as modified by Fraczek teaches all that is claimed, as discussed in the above rejections of claims 25, 26, 29 and 30, except a printing machine with a computing and memory device.

Schmid et al. teaches a system (fig. 1) further comprising a computing and memory device (118) for each printing machine and an auxiliary data exchange device (116) arranged in each printing unit, said characteristic data being read from the main memory device into the computing and memory device by said auxiliary data exchange device, and at least one of new characteristic data and changed characteristic data from the computing and memory device can be written on said auxiliary memory device, a system further comprising a computing and memory device (118) for each printing machine, said auxiliary memory device providing data exchange between the computing and memory device and the main memory device, a system further comprising a computing and memory device (118) for each printing machine, and means (118) for determining data about the damage status of the rubber-covered cylinder sleeves and transmitting the data to at least one of the main memory device and the computing and memory devices and a system further comprising a computing and memory device for each printing machine and a hand-held input (138) device into which data about the damage status of the sleeves can be entered and transmitted to at least one of the main memory device and the computing and memory devices.

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It would have been obvious to modify Nakamara et al. as modified by Fraczek to have a printing machine with a computing and memory device as taught by Schmid et al. to be able to communicate between the storage apparatus about the status and condition of the sleeve.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Marvin P. Crenshaw whose telephone number is (703) 308-0797. The examiner can normally be reached on Monday - Friday 7:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Hirshfeld can be reached on (703) 305-6619. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 308-7722 for regular communications and (703) 308-7724 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.



MPC
July 14, 2003



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